

ENTERED

December 05, 2018

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CLAUDE WAYNE CHADWICK,
TDCJ #01462425,

Plaintiff,

v.

GEORGE H.W. BUSH, et al.,

Defendants.

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CIVIL ACTION NO. H-18-4566

ORDER OF DISMISSAL AND WARNING

State inmate Claude Wayne Chadwick (TDCJ #01462425) has filed a hand-written complaint ("Complaint") (Docket Entry No. 1) that features rambling, unintelligible allegations against former President George H.W. Bush and the "Star Chamber Whitehouse of Stars Barak Hillary Obama." After reviewing all of the pleadings and Chadwick's litigation history, the court will dismiss this case for the reasons explained briefly below.

Chadwick has not paid the filing fee for a civil action. Because he is incarcerated, this case is governed by the Prison Litigation Reform Act (the "PLRA"), which was enacted, in part, to prevent prisoners from abusing the privilege of proceeding in forma pauperis. See Adepegba v. Hammons, 103 F.3d 383, 387 (5th Cir. 1996). Under the "three-strikes" rule established by the PLRA, a prisoner is not allowed to bring a civil action in forma pauperis in federal court if, while incarcerated, three or more of his civil actions or appeals were dismissed as frivolous, malicious, or for

failure to state a claim upon which relief may be granted, unless he is in "imminent danger of serious physical injury." 28 U.S.C. § 1915(g); Adepegba, 103 F.3d at 385.

A national case index reflects that, while incarcerated, Chadwick has filed at least five previous civil actions in the federal courts that have been dismissed as frivolous because of the bizarre nature of his claims. See Yireaelism Armed Forces within The Republic of Texas v. Nazi War Zone "Area 17" within the State of Texas, No. 6:08-mc-05 (N.D. Tex. Nov. 6, 2009); Chadwick v. International Jurisdictions and Homeland Security and Israel v. German Espionage Invasion Area Seventeen San Angelo, Texas Area War Crimes, Dangerously a Repository of Political Engineering, No. 6:08-mc-06 (N.D. Tex. Nov. 6, 2009); Chadwick v. Bush, et al., No. 6:09-cv-71 (N.D. Tex. Aug. 8, 2011); Chadwick v. Cummings, et al., No. 1:13-cv-821 (E.D. Va. July 17, 2013); and Chadwick v. Myers et al., No. 4:13-cv-1456 (S.D. Tex. May 23, 2013) (Docket Entry No. 3, pp. 3-4) (summarizing the bizarre theories advanced by Chadwick in his previous cases, which also included threatening language).

Chadwick, who has well over three strikes against him for filing frivolous lawsuits, does not allege facts showing that he is in imminent danger of serious physical injury. Therefore, he is not allowed to proceed in forma pauperis pursuant to § 1915(g).

More importantly, the nonsensical allegations lodged by Chadwick are fantastic, delusional, and factually frivolous. See

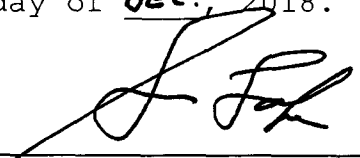
Denton v. Hernandez, 112 S. Ct. 1728, 1733 (1992) (noting that a court may dismiss a claim as factually frivolous if the facts alleged are "clearly baseless," "fanciful," "fantastic," or "delusional"). Accordingly, the Complaint will be dismissed with prejudice.

Accordingly, the court **ORDERS** as follows:

1. This action is **DISMISSED** with prejudice as frivolous.
2. Officials at the Texas Department of Criminal Justice Inmate Trust Fund Account are directed to deduct the filing fee for a civil action (\$400.00) from the account of Claude Wayne Chadwick (TDCJ #01462425) in periodic installments when funds are available, and forward those funds to the Clerk of Court until the entire fee is paid.
3. Chadwick is **WARNED** that he will face sanctions, including additional monetary penalties and restrictions on his ability to file lawsuits in this district, if he continues to file frivolous actions.

The Clerk will provide a copy of this Order to the plaintiff and to: (1) the TDCJ - Office of the General Counsel, P.O. Box 13084, Austin, Texas, 78711, Fax Number (512) 936-2159; (2) the TDCJ Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, fax: 936-437-4793; and (3) the Manager of the Three-Strikes List for the Southern District of Texas at Three_Strikes@txs.uscourts.gov.

SIGNED at Houston, Texas, on this 5th day of Dec., 2018.



SIM LAKE
UNITED STATES DISTRICT JUDGE